

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

192 Morgan Realty, LLC *et al.*,
Plaintiffs/Crossclaim Defendants

v.

Aquatorium, LLC *et al.*,
Defendants

- and -

Clear Blue Waters Project, LLC,
Intervenor-Defendant/Crossclaim Plaintiff

Case No. 1:20-CV-03627-RPK-RML

**DECLARATION OF JONATHAN
CORBETT**

I, Jonathan Corbett, hereby declare the following.

1. My name is Jonathan Corbett, and I am an attorney representing Clear Blue Waters Project, LLC, in this action.

2. I write to explain several facts of which I have gained personal knowledge during the course of this representation.

3. First, I write to explain who maintains the Vessel subsequent to the Marshal's arrest of the same in January 2021.

4. Although the Court granted substitute custodianship to Newtown Williamsburg Development, LLC, as owned and managed by Aaron Abraham, based on conversations with my client, meeting Mr. Abraham in person immediately subsequent to the arrest, deposing Mr. Abraham, and conversations with opposing counsel, it is my personal knowledge that: a) Mr. Abraham has done nothing to maintain the Vessel or otherwise act as a custodian, b) knowing that Mr. Abraham has not the skills to maintain the Vessel, it has been the verbal agreement between him and my client that the owner of my client would maintain the Vessel, c) this agreement was

reached in the days or weeks following the arrest, and d) this owner has been doing so since January 2021.

5. Second, I write to confirm that the initial disclosures, discovery responses, and deposition transcript attached as exhibits to the motion for sanctions are true and correct copies of the same.

6. Third, I write to confirm that the Vessel has, and has had for all times relevant, engines, but they are not presently operational.

7. Fourth, I write to describe video produced by Landlords during discovery that I have personally viewed.

8. In response to our third RFP, which requested video recordings of the “parties” that they have insisted during this litigation were occurring on the Vessel, Landlords produced four videos, none of which showed more than 6 individuals (other than police officers present in one of them). All of these videos were taken in an alleyway that leads to the Vessel, and do not show these individuals coming from or going to the Vessel; I thus conclude there is no basis for their accusation.

9. During my conversations with opposing counsel, Jules Epstein, he has, on multiple occasions, represented to me that he has represented the Landlords’ owners for many years.

I affirm the truth of the foregoing under penalty of perjury under the laws of the United States.

Dated: Brooklyn, NY

January 11th, 2023

Respectfully submitted,

/s/Jonathan Corbett
Jonathan Corbett, Esq.